

Rule of Law in Transitional Countries: A Belgian Perspective

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1. Research objectives

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Geopolitical shift in the 1990s:

- Threats against international peace and security stem from the incapacity of states to effectively uphold RoL (DFID, 2005, UN 2004, Zedner, 2009).
 - Banditry, organized crime, drug trafficking, terrorism
 - 'Weak, fragile, failed, failing states'
- Imperative of state-building (Fukuyama, 2004) -> Peacebuilding (UN 1992).
 - But also adopted by EU -> ESS (2003) -> EU Global Strategy (2016)
- Introducing international standards and best practices:
 - Short cuts to creating 'stable', 'democratic' states?
 - Tea bag theory
 - Inclusion of police officers, prison officials and personnel, judges and prosecutors besides the military in transitional societies.

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1. Research objectives

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Based on empirical work by both authors in Kosovo and literature review:

- Questions about feasibility reforms
 - Scope of the reforms, training of personnel, quality of staff, job rotation, capacity of host nation,...
- Questions about sustainability
 - Local ownership, different perspectives donor countries – host countries?
- Research on: ownership, export of models, vetting & rebuilding local RoL institutions, human rights, rapid deployment, capabilities international organisations...
- Less data on:
 - Motivation of international staff;
 - Personal experiences of international staff;
 - Domestic institutional issues related to deployment.

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2. Literature – (A) Motivation

Fabrizio Battisteli (1997; 1999) typology of soldiers' motivations to join a mission:

1. **Paleomodern or premodern motivations** emphasize a normative commitment, such as to be useful to others or to strengthen one's country's images at the international level (other-oriented).
2. **Modern motivations** emphasize an instrumental or utilitarian commitment, such as to earn money or to gain an education (materialistic values of salary and career).
3. **Postmodern motivations** stress the desire for adventure, or new and meaningful personal experience (self-oriented and self-fulfilling).

2. Literature - (B) Experiences of peacekeepers

- Peacekeepers criticized the lack of (cultural) training (Jelusic 2004; Sion 2008; Tomforde 2005)
- Daily experiences, isolation, communication problems (Jelusic 2004)
- Disillusion with UN bureaucracy and local corruption (Dupont & Tanner 2009)
- False expectation of mission tasks (Tomforde 2005)
- Sobering effect (Jelusic 2004)
- Gained knowledge and skills: management skills, working in diverse environments, flexibility, network opportunities (Dupont & Tanner 2009)
- Personal gains and personal growth (Murdoch 2013)
- Challenges of working with 'experts' who lacked expertise (Murdoch 2015)

2. Literature – (C) Institutional aspects

No official recognition in the UK of the value of the experience gained and no policy to exploit their competencies (Ashraf 2007).

Little attention generally paid to the ways in which peacekeepers experience these missions (Sion 2008).

Study Dupont and Tanner 2009:

- Most returning officers convinced that their CIVPOL experiences had made them better police practitioners.
- Gained skills and competencies remain **virtually ignored by their organisation**.
- A generally supportive reception among their colleagues and managers, but no taking advantage of their experience at an organisation level.
- There **was no organised attempt to systematically learn from returning peacekeepers**.
- Reintegration as an anti-climax: instead of feeling welcome and valued, estranged from workplace
- Apparent **lack of interest with which returning police peacekeepers are met at the organisational level**, considering the care and efforts that characterise the pre-deployment phase

3. Methodology

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Research objectives through interviews with Belgian staff of international peace and related stability missions.

- Hence Belgian perspectives
- Advantages: recruitment of respondents, information on institutional aspects and comparison with Canadian, UK perspectives
- Disadvantages: no generalization -> explorative

11 respondents interviewed

- Official channel (4:2) and snowball method
- Face to face – telephone – skype interviews of 1h15 min – 2h30 min
- Profile respondents:
 - Male (10) – female (1)
 - Prison director (1), prison personnel (1), police officers (8), prosecutor(1)
 - Missions in Kosovo, Serbia, Macedonia, Congo, Haiti, Namibia, Croatia, Albania, Azerbaijan, Jordan, Mali and Somalia

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3. Methodology

Informed consent – anonymity

Data analysis: NVivo

Topic list based on three parts:

- Pre-mission phase
 - Selection of personnel, motivation, training of the staff, practical and logistical matters.
- The mission
 - The introduction training, Practical organization of the mission, Tasks and objectives of the mission, Personal experiences of the respondents, Clash between local preferences and international preferences?
- Post-mission phase
 - Return and reintegration of the staff, Debriefing, Learning organisation?

4. Results: (A) Motivation

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As in other studies, the same motivations but their importance varied.

| Post-modern | Modern | Pre-modern |
|--------------------------------------|---|---|
| Foreign experience | Money is a secondary reason | Maybe improving the world |
| Adventure | <i>"The money is a plus, but that was only partly the motivating factor."</i> | Representing one's country's images (not a motivation, but kept in mind when doing the job) |
| Proving themselves | <i>"a justification to sell it to the home front"</i> | |
| See the world | But joining an international mission... "Is not a plus for your career..." | |
| Personal connection with the country | | |

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4. Results: (B) Preparation and reintegration

Similar to experiences mentioned in literature:

- Poor preparation and especially poor (re-)integration in Belgian organisation
 - Especially within the justice department, better experiences with external affairs or external missions.
- Training – induction training: mixed experiences
- Reintegration
 - Welcome – reception organisation (bad experiences)
 - Welcome – reception colleagues (mixed experiences)
 - Other job or less job-related tasks allocated
- Debriefing?

“You almost get punished when you come back. Nobody has any good experiences with coming back.”

“Enjoyed your vacation? Now it is time to get back to the real job.”

“Bon soit, they were not really interested and they have little interest in learning from others. There is no such interest. If that interest were there, they would send more people. So it's all navel-gazing and that bothers me.”

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4. Results: (C) Experiences and network

What do people learn?

- Personal growth
- Expand their world view
- Languages
- See things from a different perspective

Return of experiences

- Teaching courses
- Inherent/indirect expertise and experiences

International network

- Unofficially use of network
- Private (personal contacts)

You become wiser, you become more mature”

“What is useful, is that you can see from a distance how that living conditions and safety in many countries have an impact on the safety in Belgium.”

“But this is perhaps more philosophically, but I think that people really do not realize in what kind of luxury they are living here”

“Project management is something that I learned. And personally I think that was a plus. Because before the mission, I never came in contact with that kind of work. These are all nice things I think.”

5. Conclusion

No policies to improve recruitment, use intelligence and info, improve reintegration -> similar to other experiences (literature).

- According to respondents, Belgium has a lot to offer:
 - Prison (regulation and legislation, use of coercion, no (fire) weapons, no torture)
 - Police (Police structure, police training)
- Missed opportunity for the organisation to learn from its own employees
 - Poor debriefing & no official recognition
 - No mapping of international network, no use of gained knowledge and expertise.

UN/EU/International missions:

- Tea bag theory: motivated, well-trained personnel makes a difference
- International missions depend on volunteers: clear obstacles
- More than showing the flag?

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